

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

REGULATORY AUTH.

**NASHVILLE, TENNESSEE**

**March 6, 1998**

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OFFICE OF THE  
EXECUTIVE SECRETARY

**In Re: BellSouth Telecommunications, Inc.'s  
Entry Into Long Distance (InterLATA)  
Service in Tennessee Pursuant to Section  
271 of the Telecommunications Act of 1996**

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) **Docket No. 97-00309**  
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**ORDER ESTABLISHING FORMAT OF TECHNICAL  
WORKSHOP ON PERFORMANCE MEASURES AND STANDARDS**

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**I. Background**

This matter is before the Tennessee Regulatory Authority ("TRA") upon the filing of BellSouth Telecommunications, Inc. for entry into the interLATA telecommunications market in Tennessee pursuant to Section 271 of the Telecommunications Act of 1996. This case was convened by the Directors of the TRA on March 4, 1997, at which time Director Melvin Malone was appointed as the Hearing Officer for the purpose of preparing this matter for a hearing on the merits. On February 3, 1998, the Directors of the TRA unanimously adopted the procedural schedule outlined in the Hearing Officer's January 27, 1998, Report and Recommendation. The procedural schedule included Technical Workshops and Demonstrations on Operational Support Systems ("OSS") and on Performance Measures to be held on March 5 - 6 and March 23 - 24, respectively. The schedule also included a request that parties file comments on the format of the Workshops by February 6, 1998. Comments on the Workshops were submitted by BellSouth Telecommunications, Inc. ("BST"), AT&T Communications of the South

Central States, Inc. ("AT&T"), NEXTLINK of Tennessee LLC ("NextLink") in combination with American Communications Systems Inc. ("ACSI"), and Sprint Communications Company, L.P. ("Sprint").

An Order concerning the format of the OSS Workshop was issued on February 23, 1998. The purpose of this Order is to establish the format of the Performance Measures Workshop to be held on March 23 - 24, 1998.

## **II. Pre-filed Comments of the Parties**

BST proposed that it have its subject matter experts make a presentation about the performance measures in its Statement of Generally Available Terms and Conditions and that those experts be available to answer questions from the TRA and the parties. BST commented that the Workshop should be informal and not an evidentiary hearing.

AT&T suggested that not later than March 9, 1998, any interested party shall provide to the TRA and other parties the performance measures, administrative procedures and operational considerations appropriate for monitoring BST's support of CLEC operations and any perceived deficiencies in BST's proposal. BST would then provide a response to the perceived deficiencies by March 16, 1998. AT&T stated that the Workshop would best be conducted as an evidentiary proceeding with witnesses being sworn, subject to questions from lawyers and technical experts, and all discussions transcribed. AT&T suggested a one (1) hour time limit for each CLEC to comment on BST's performance measures proposal and their perceived deficiencies of those

measures. BST would be given one (1) hour to respond and each party would be permitted a fifteen (15) minute wrap-up statement.

NextLink and ACSI commented that the TRA Staff should request a list of issues from the parties in advance of the Workshop.

Sprint suggested that the TRA require the parties to provide proposed performance measures in advance of the Workshop and that the Workshop be an open forum where parties are given a minimum of thirty (30) minutes to offer presentations explaining the measurements they propose. Sprint proposes that the subject matter experts presenting the measures should be available for questioning and that the Workshop should be recorded by a court reporter.

### **III. Discussion**

The parties' comments indicate that they agree that prior to the Workshop all parties should submit in writing their respective proposed Performance Measures. The parties also agree that the Workshop should provide an opportunity to present their respective proposals and to allow subject matter experts to question one another on the proposals.

On the issue of whether to transcribe the Performance Measures Workshop for evidentiary purposes, AT&T and Sprint requested that the Workshop be conducted as a transcribed, evidentiary proceeding while BST and NextLink commented that the Workshop should be conducted informally.<sup>1</sup>

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<sup>1</sup> At the OSS Status Conference held on February 19, 1998, the parties agreed that a transcribed, evidentiary proceeding would produce less candid results and might interfere with

After consideration of comments of all the parties,

**IT IS THEREFORE ORDERED THAT:**

1. The Performance Measures Technical Workshop will be held at BST's headquarters building located at 333 Commerce Street, Nashville, Tennessee on March 23 - 24, 1998, beginning at 9:00 a.m. each day.
2. All parties may provide proposed Performance Measures to the parties and the TRA by 12:00 noon, on March 13, 1998.<sup>2</sup>
3. Parties may provide responses to proposed Performance Measures to the parties and the TRA by 12:00 noon, on March 18, 1998. The identification of problems and/or deficiencies should be accompanied by substantive proposed solutions.
4. At the Workshop, each party will present their respective Performance Measures proposal and will make subject matter experts on those Measures available for questioning.
5. A court reporter will be present to transcribe the Technical Workshop for notetaking and other similar purposes. As agreed to by all the parties at the OSS Status Conference, however, the transcript of the Workshop will not be

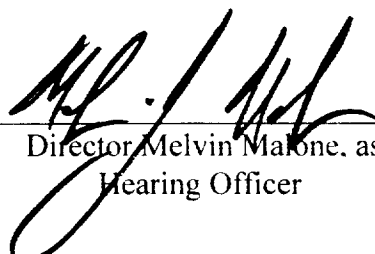
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the intended purposes of the Workshop. Nevertheless, most parties desired the Workshop to be transcribed to aid in "notetaking" and for future reference. After considerable discussion at the OSS Status Conference, all parties agreed to have a court reporter transcribe the Workshop for notetaking and other similar purposes, as opposed to evidentiary purposes, and agreed not to introduce the transcript of the OSS Workshop as evidence in this docket.

<sup>2</sup> Parties may include comments with respect to how or whether the decision of the Arbitrators on issue 3 of the BellSouth/AT&T/MCI Consolidated Arbitration, Docket Nos. 96-01152 and 96-01271, relates to the Section 271 Docket on a going forward basis.

presented as evidence. Moreover, said transcript shall not be introduced or used at the Hearing on the merits in this docket for any purpose, including, but not limited to, rehabilitation or impeachment. Finally, the transcript shall not be cited in any pre-filed testimony.

6. Any party may file exceptions to this Order not later than March 10, 1998, at 12:00 noon.

  
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Director Melvin Malone, as  
Hearing Officer

ATTEST:

  
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Executive Director

**Tennessee Regulatory Authority  
Docket 97-00309  
BellSouth 271 Application**

***Technical Conference - Performance Measures  
March 23-24, 1998***

**BELLSOUTH OVERVIEW OF PERFORMANCE MEASURES**

- A. Proposed Performance Measures
  - 1. Overview of measures proposed
  - 2. Why these measures are appropriate - what the measures tell us
  - 3. Sources of data used in the measures
  - 4. Openness of data - auditability
  - 5. Actual results of any measures now in place
- B. Questions
- C. If applicable, discussion of Performance Metrics Contained in Second and Final Arbitration Award in AT&T, MCI, and BellSouth Arbitration.
- D. Roundtable discussion of possible enhancements to proposed measures

**CLEC PRESENTATIONS OF PERFORMANCE MEASURES**

- A. Proposed Performance Measures
  - 1. Overview of measures proposed
  - 2. Why these measures are appropriate - what the measures tell us
  - 3. Sources of data
  - 4. Openness of data - auditability
  - 5. Actual results of any measures now in place
- B. Questions
- C. If applicable, discussion of Performance Metrics Contained in Second and Final Arbitration Award in AT&T, MCI, and BellSouth Arbitration.
- D. Roundtable discussion of possible enhancements to proposed measures